

AMENDED NO. 38093
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF
NEVADA

Date of filing in State Engineer's Office MAY 4 1979
Returned to applicant for correction NOV 2 1979
Corrected application filed DEC 10 1979
Map filed DEC 10 1979

The applicant **Hale W. Bailey c/o Boyack Surveying, Inc.**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **6.0 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Irrigation**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **280 acres**
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32, T 30 N, R 52 E, MDB & M., at a point from which the SE Corner of said Section 32 bears S 16° 01' 30" E 1182.00 feet.**
6. Place of Use **SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32, T 30 N, R 52 E, MDB & M., NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, T 29 N, R 52 E, MDB & M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Well, ditches, pipeline and sprinkler system.**
9. Estimated cost of works **\$30,000**
10. Estimated time required to construct works **3 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**
12. Remarks: **This filing is for the excess water on the well under application 31072 and is for a desert land entry.**

By **s/Alan S. Boyack**
Alan S. Boyack
515 South Fifth Street
Elko, Nevada 89801

Compared hs/cmf hs/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

January 24, 2000

Proof of completion of work shall be filed before:

January 24, 2000

Water must be placed to beneficial use on or before:

January 24, 2000

Proof of the application of water to beneficial use shall be filed on or before:

January 24, 2000

Map in support of proof of beneficial use shall be filed on or before:

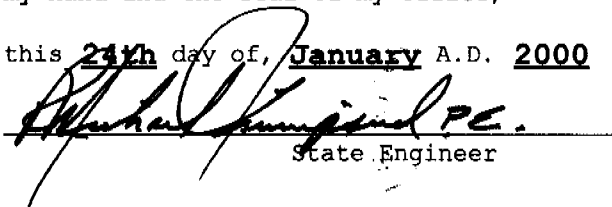
January 24, 2000

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 24th day of, January A.D. 2000


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By: 64805 6.0